IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

DIGITAL VERIFICATION SYSTEMS, LLC,	§ § §	
Plaintiff,	§ §	Case No: 7:21-cv-09045
vs.	§ § §	PATENT CASE
KEEPSOLID, INC.,	§ §	JURY TRIAL DEMANDED
Defendant.	§ § §	

COMPLAINT

Plaintiff Digital Verification Systems, LLC ("Plaintiff" and/or "DVS") files this Complaint against KeepSolid, Inc. ("Defendant" or "KeepSolid") for infringement of United States Patent No. 9,054,860 (hereinafter "the '860 Patent").

PARTIES AND JURISDICTION

1.   This is an action for patent infringement under Title 35 of the United States Code. Plaintiff is seeking injunctive relief as well as damages.

2.   Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331 (Federal Question) and 1338(a) (Patents) because this is a civil action for patent infringement arising under the United States patent statutes.

3.   Plaintiff is a Texas limited liability company with an address of 1 East Broward Boulevard, Suite 700, Fort Lauderdale, FL 33301.

4.   On information and belief, Defendant is a New York corporation with its principal office located at 3220 Arlington Ave, Suite 5A, Riverdale, NY 10463. On information and belief, Defendant may be served through its registered agent, Tetyana Binder, at the same address.

5. On information and belief, this Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in this District, has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.

6. On information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in this District.

VENUE

7. On information and belief, venue is proper in this District under 28 U.S.C. § 1400(b) because Defendant is a resident of this District. Alternatively, acts of infringement are occurring in this District and Defendant has a regular and established place of business in this District.

COUNT I
(INFRINGEMENT OF UNITED STATES PATENT NO. 9,054,860)

8. Plaintiff incorporates paragraphs 1 through 7 herein by reference.

9. This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, *et seq*.

10. Plaintiff is the owner by assignment of the '860 Patent with sole rights to enforce the '860 Patent and sue infringers.
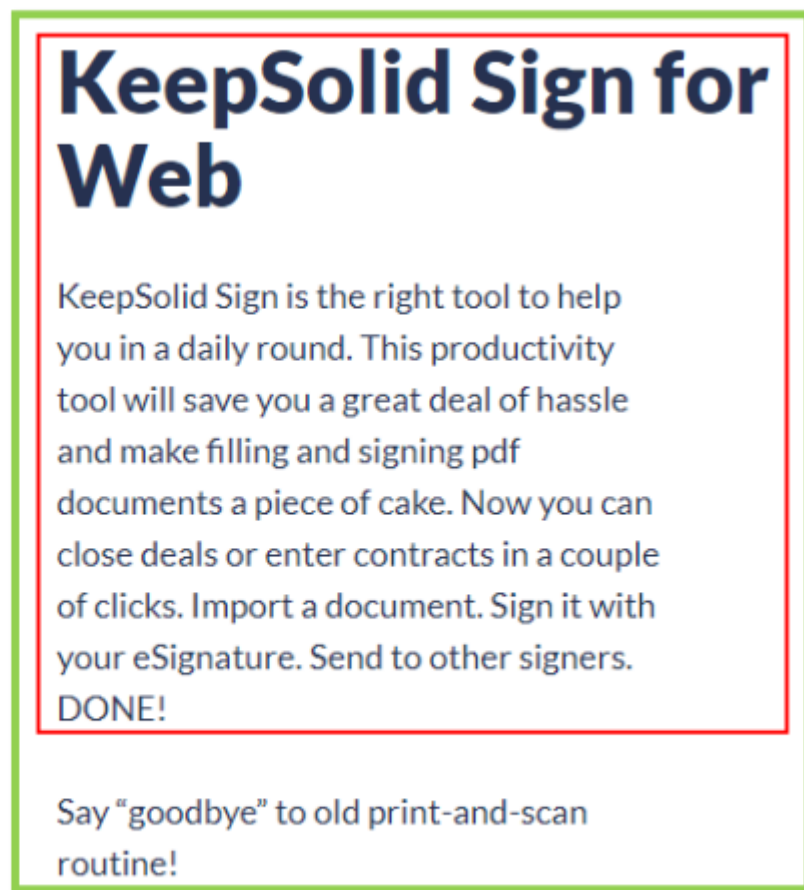
11. A copy of the '860 Patent, titled "Digital Verified Identification System and Method," is attached hereto as Exhibit A.

12. The '860 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

13. Upon information and belief, Defendant has infringed and continues to infringe one or more claims, including at least Claim 1, of the '860 Patent by making, using (at least by

having its employees, or someone under Defendant's control, test the accused Product), importing, selling, and/or offering for sale associated hardware and/or software for digital signature services (e.g., KeepSolid Sign service), and any similar products and/or services ("Product") covered by at least Claim 1 of the '860 Patent. Defendant has infringed and continues to infringe the '860 patent either directly or through acts of contributory infringement or inducement in violation of 35 U.S.C. § 271.

14.   The Product provides a system for e-signatures.   The Product provides for digitally verifying the identification of a sender. Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

Source: https://sign.keepsolid.com/downloads

Electronic signature software for everyday needs

Sign documents and collect signatures anywhere, anytime, on any device, even offline.

Source: https://sign.keepsolid.com/

A perfect tool to start your digital journey

KeepSolid Sign is one of the best e-sign solutions that will help to strengthen your positions in the market and enhance relationship with partners. Wonder how? Our service is a very handy tool that allows you to initiate a deal in a few simple clicks and get all your contracts signed in minutes. You just need to invite all the concerned parties to a document, assign relevant access level, and set the signing order. Done.

Source: https://sign.keepsolid.com/features/easy-collaboration-with-partners

15.   The Product includes at least one digital identification module structured to be associated with at least one entity. For example, the Product provides a module (e.g., e-signature creation module) to be associated with at least one entity (i.e., a user who needs to use a digital signature). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.
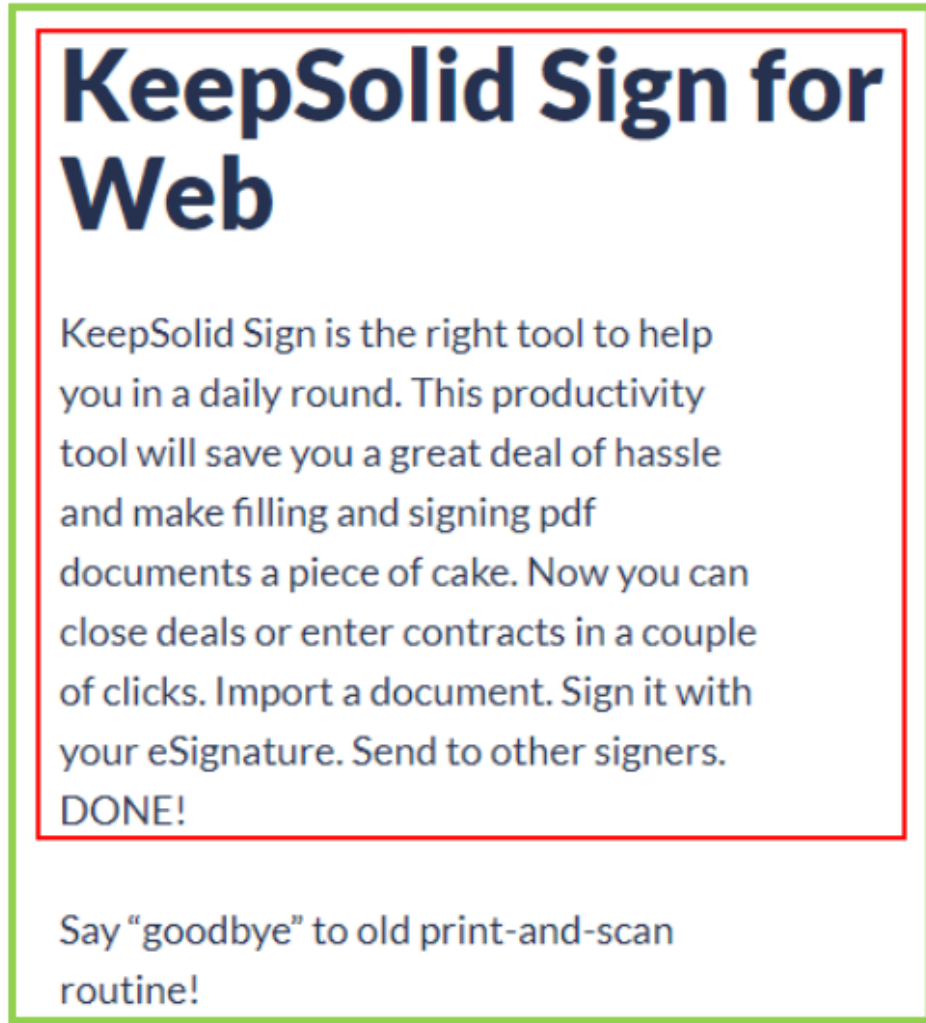
2. Create your e-signature.

Go to the "My signature" menu (on iOS and Android this menu is found in the account section). There you will see two areas, "My signature" and "My initials"; you can create either or both. Aside from actually drawing your signature, you can also import or take its picture. Be sure to save your signature after you're done. Now let's see how to add this signature to a PDF.

Source: https://sign.keepsolid.com/esignature-learning-center/how-to-add-a-signature-to-a-pdf
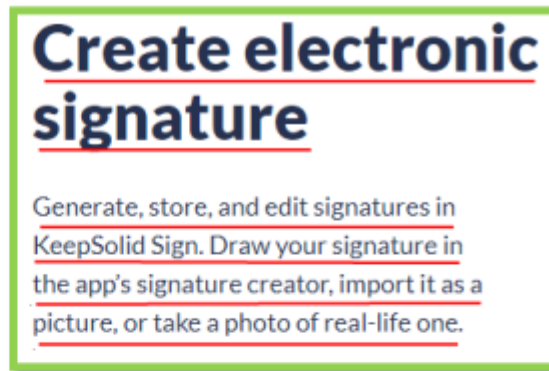
Create electronic signature

Generate, store, and edit signatures in KeepSolid Sign. Draw your signature in the app's signature creator, import it as a picture, or take a photo of real-life one.
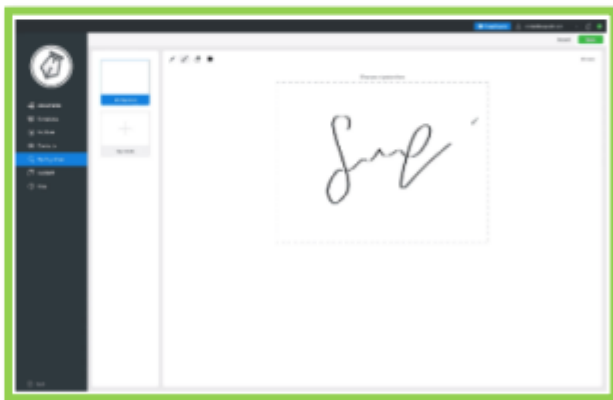
Source: https://sign.keepsolid.com/

KeepSolid Sign for Web

KeepSolid Sign is the right tool to help you in a daily round. This productivity tool will save you a great deal of hassle and make filling and signing pdf documents a piece of cake. Now you can close deals or enter contracts in a couple of clicks. Import a document. Sign it with your eSignature. Send to other signers. DONE!

Say "goodbye" to old print-and-scan routine!

Source: https://sign.keepsolid.com/downloads

16.   The Product includes a module generating assembly structured to receive at least one verification data element corresponding to the at least one (e.g., a user has a unique login ID and password for accessing and verifying the account for e-signing documents) and create said at least one digital identification module (e.g., creating an e-signature of a user). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.
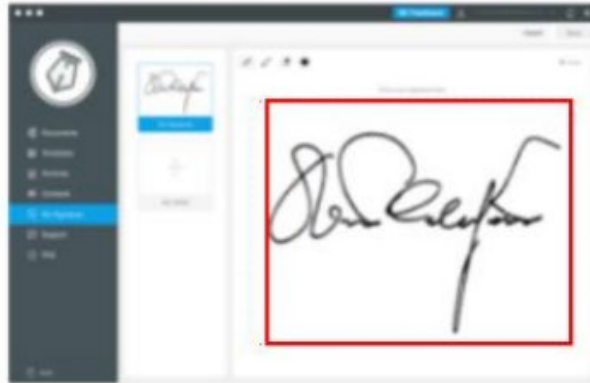
Source: https://sign.keepsolid.com/

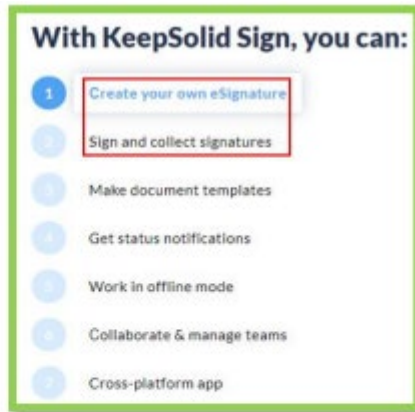Source: https://sign.keepsolid.com/downloads

KeepSolid Sign allows to add your own signature to the app and use it for document signing. First, let's figure out how to create a signature:

- Go to the My Signature tab.
- You have two options to add your signature - draw it or import an image. Choose the way that suits you best.
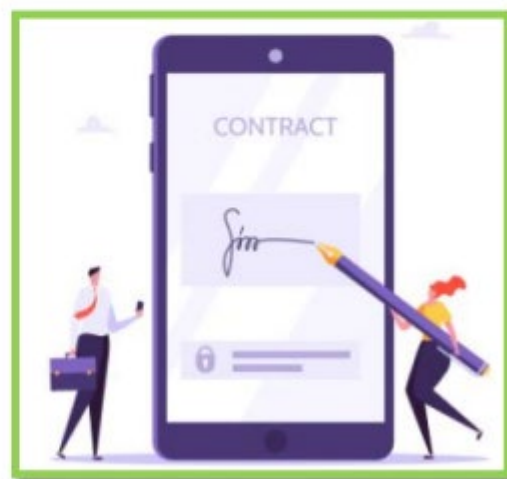

- When you are done, be sure to click Save.

Source: https://sign.keepsolid.com/manuals/macOS/create

Source: https://sign.keepsolid.com/downloads

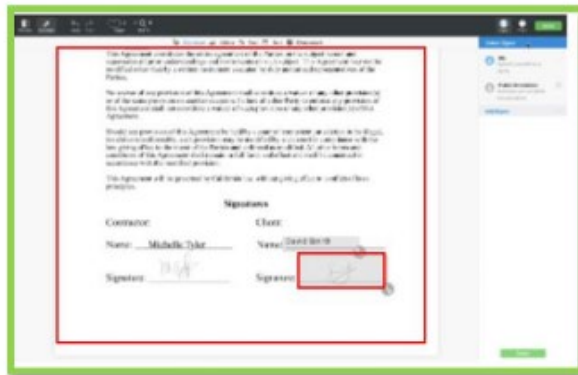Source: https://app.keepsolid.com/sign/registration

17.   The at least one digital identification module is disposable within at least one electronic file. For example, the user can store the e-signature within a document or including PDF, WORD DOC, IMAGES, etc. Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

Source: https://sign.keepsolid.com/

Source: https://sign.keepsolid.com/

Source: https://sign.keepsolid.com/downloads

How to add a signature to a PDF

Much like it was with mobile phones revolutionizing the way business was done, a paperless office is an idea with similar potential.

Digital signature solutions have been paving their way into our lives, and are already pretty common in today's world. And why wouldn't they, considering how beneficial and simple they are.

Talking about simple. Here is a guide on how to sign a PDF document using KeepSolid Sign. If you are looking for a platform-specific manual, please go to Manuals.

Note: KeepSolid Sign offers a free 14-day trial, so that you can practice before buying.

Source: https://sign.keepsolid.com/esignature-learning-center/how-to-add-a-signature-to-a-pdf

3. Import a PDF document.

Go to the "Documents" tab and find a document that is up for signing. The app supports both local and cloud storages.

Note: *Thanks to synchronisation, once you import it, you can sign a PDF document on any of your devices with installed KeepSolid Sign (KeepSolid Sign is available on all major platforms: macOS, Windows, iOS, Android, and web browsers).*

4. Open it and:

1. Click "Annotations" on the right-hand bar for Windows and MacOS

2. Tap the blue nib icon for iOS or the blue pen icon for Android

Here, besides an electronic signature itself, you can add text, a date, and checkmarks to your document.

Note: *You can edit your signature on the go, even right after you sign a PDF with it.*

Source: https://sign.keepsolid.com/esignature-learning-center/how-to-add-a-signature-to-a-pdf

Now, when your signature is ready, it's time to sign:

- Go to the Documents tab and open the appropriate document.
- Click Annotate at the top right.

- Choose the Signature option, tick Me, and confirm your action by pressing the like-named button below. Thereafter, a box for your signature will appear.
- Move the box to the desired place in the document and select Add to sign. At this stage, you can use the previously created signature or sign anew.

Alternatively, you can just double-click the box to sign it with your saved signature.
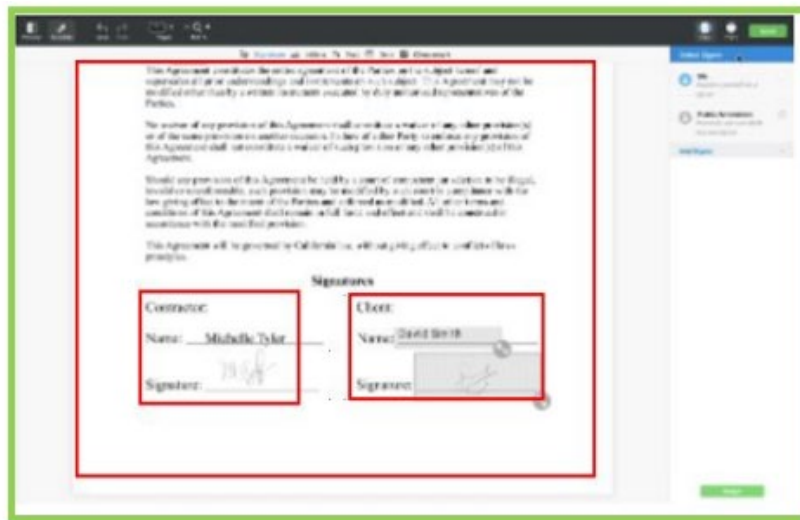
Source: https://sign.keepsolid.com/manuals/macOS/create

Make document templates

Save your time by creating templates out of the forms you commonly deal with. Predefine signature and annotation fields to quickly fill them out when needed.

Source: https://sign.keepsolid.com/

18.   The at least one digital identification module includes at least one primary component structured (e.g., an e-signature of a user is associated with information including username, etc.) to at least partially associate the digital identification module with the at least one entity (e.g., an e-signature is associated with a user, who has to sign digitally). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

Source: https://sign.keepsolid.com/downloads

Method 1: Create templates on the Documents tab

Step #1. First of all, you need to edit your document by adding all the necessary annotations (boxes for text, initials, signatures, dates or checkmarks).

Source: https://sign.keepsolid.com/manuals/macOS/how-to-create-and-use-templates-in-keepsolid-sign-app-on-your-macos-device

In the KeepSolid Sign app, you can add various annotations and manage them in a number of ways. The annotation itself can be not only a signature, but also initials, a date, a checkmark, or a text. Let's consider the key aspects of its usage.

Adding an annotation

Open the required document, navigate to the Annotate tab, and then choose the annotation type you want to add.
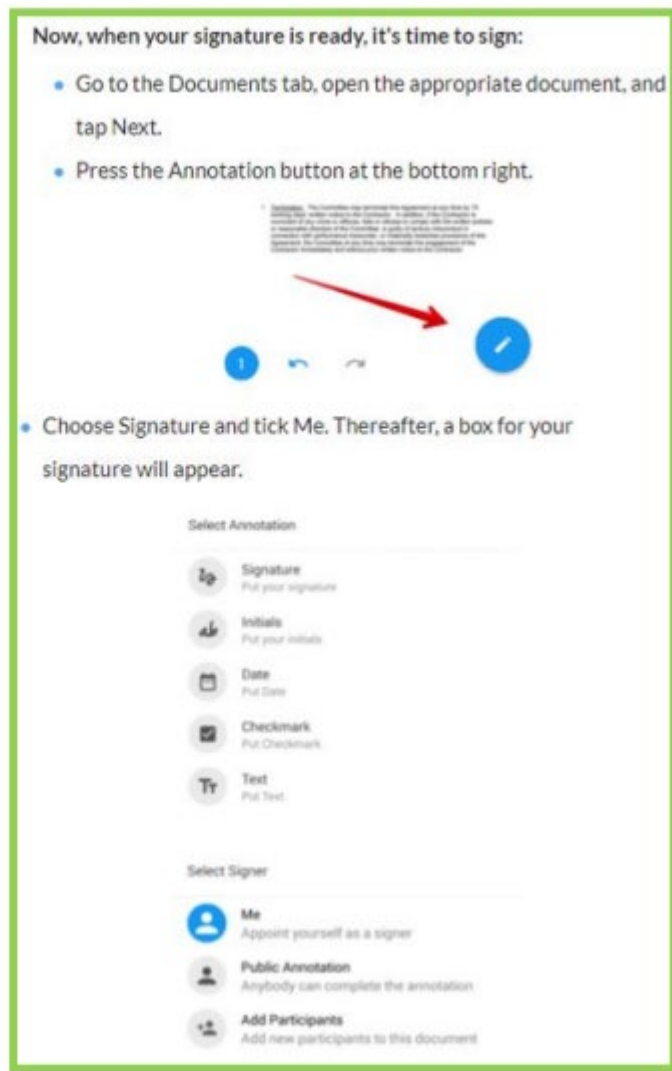

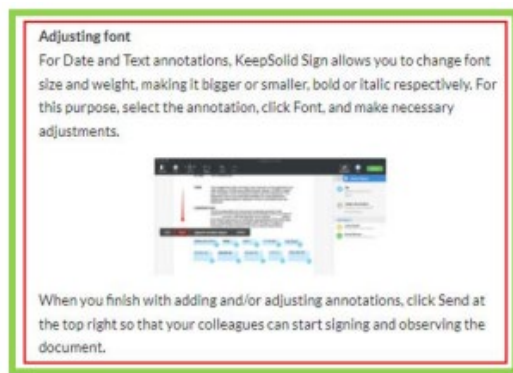Select the desired signer and click Assign.

Once you've assigned a signer, an annotation box will appear. Move it to the proper place.

Source: https://sign.keepsolid.com/manuals/macOS/how-to-add-annotations-in-electronic-signature-software-on-macos

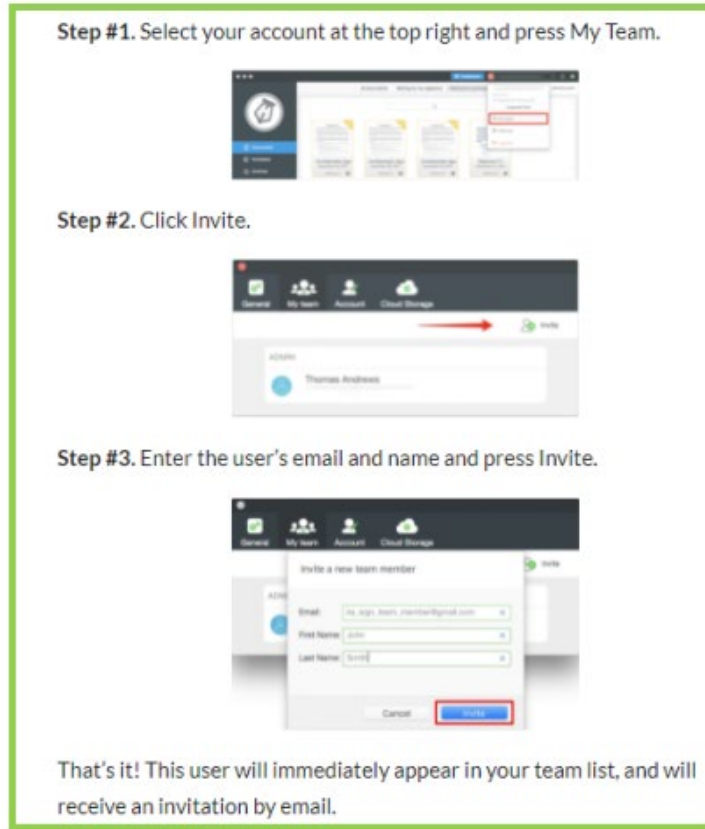Source: https://sign.keepsolid.com/manuals/android/create

Source: https://sign.keepsolid.com/manuals/macOS/how-to-add-annotations-in-electronic-signature-software-on-macos
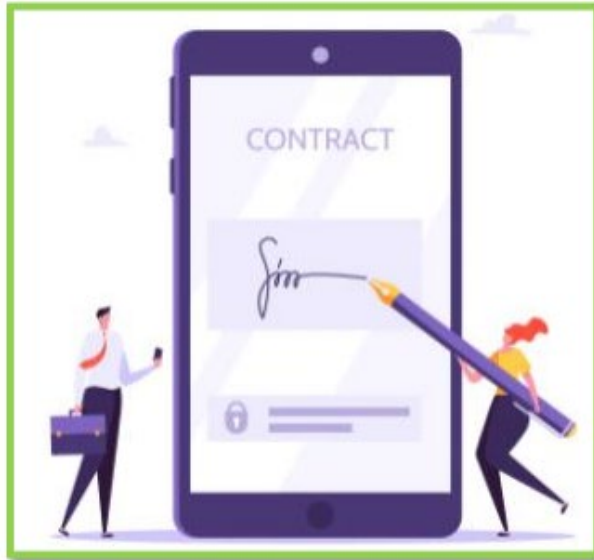
19.   The at least one digital identification module is cooperatively structured to be embedded within only a single electronic file (e.g., an e-signature is stored within a document-including PDF, WORD DOC, IMAGES, etc.). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

Source: https://sign.keepsolid.com/downloads

Step #1. Select your account at the top right and press My Team.

Step #2. Click Invite.

Step #3. Enter the user's email and name and press Invite.

That's it! This user will immediately appear in your team list, and will receive an invitation by email.

Source: https://sign.keepsolid.com/manuals/macOS/how-to-invite-participants-to-create-and-send-documents-on-your-mac

Source: https://sign.keepsolid.com/

- Move the box to the desired place in the document and just tap it to sign with your saved signature. Alternatively, you can long-tap the box, select Edit, and sign anew.

Source: https://sign.keepsolid.com/manuals/android/create

> **3. Import a PDF document.**
>
> Go to the "Documents" tab and find a document that is up for signing. The app supports both local and cloud storages.
>
> *Note: Thanks to synchronisation, once you import it, you can sign a PDF document on any of your devices with installed KeepSolid Sign (KeepSolid Sign is available on all major platforms: macOS, Windows, iOS, Android, and web browsers).*
>
> **4. Open it and:**
>
> 1. Click "Annotations" on the right-hand bar for Windows and MacOS
> 2. Tap the blue nib icon for iOS or the blue pen icon for Android
>
> Here, besides an electronic signature itself, you can add text, a date, and checkmarks to your document.
>
> *Note: You can edit your signature on the go, even right after you sign a PDF with it.*

Source: https://sign.keepsolid.com/esignature-learning-center/how-to-add-a-signature-to-a-pdf

20.   Defendant's actions complained of herein will continue unless Defendant is enjoined by this court.

21.   Defendant's actions complained of herein are causing irreparable harm and monetary damage to Plaintiff and will continue to do so unless and until Defendant is enjoined and restrained by this Court.

22.   Plaintiff is in compliance with 35 U.S.C. § 287.

JURY DEMAND

23.   Under Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff respectfully requests a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff asks the Court to:

(a)   Enter judgment for Plaintiff on this Complaint on all causes of action asserted herein;

(b)   Enter an Order enjoining Defendant, its agents, officers, servants, employees, attorneys, and all persons in active concert or participation with Defendant who receive notice of the order from further infringement of United States Patent No. 9,054,860 (or, in the alternative, awarding Plaintiff a running royalty from the time of judgment going forward);

(c)   Award Plaintiff damages resulting from Defendant's infringement in accordance with 35 U.S.C. § 284;

(d)   Award Plaintiff pre-judgment and post-judgment interest and costs; and

(e)   Award Plaintiff such further relief to which the Court finds Plaintiff entitled under law or equity.

Dated: November 3, 2021.   Respectfully submitted,

/s/ Jay Johnson

JAY JOHNSON (*pro hac vice forthcoming*)
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